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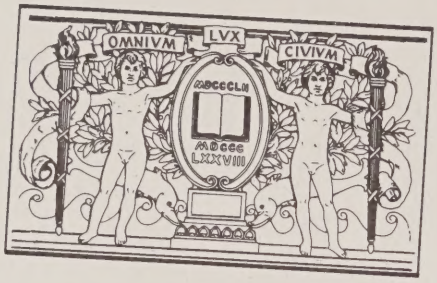

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NOTICE OF PUBLIC HEARING

The Boston Redevelopment Authority hereby gives notice that a public hearing will be held on Tuesday, January 28, 1986, at 7:30 P.M. in the Rabb Lecture Hall of the Copley Square Main Branch of the Boston Public Library, 666 Boylston Street, Boston, Massachusetts 02116, in regard to a proposed zoning district to be known as the Boylston Street Interim Planning Overlay District in the Back Bay district of Boston. Copies of the petition and map of the area involved may be obtained in the Zoning Department of the Authority, 9th Floor, Room 957, Boston City Hall, between 9:00 A.M. and 5:00 P.M. any day but Saturdays, Sundays, and legal holidays.

BOSTON REDEVELOPMENT AUTHORITY

Kane Simonian, Secretary

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NOTE: THE BOSTON REDEVELOPMENT AUTHORITY IS CONCLUDING A PROCESS OF COMMUNITY REVIEW OF THE PROPOSED ZONING AMENDMENT TO ESTABLISH THE BOYLSTON STREET INTERIM PLANNING OVERLAY DISTRICT AND SOME OF THE PROVISIONS BELOW MAY BE SUBJECT TO CHANGE

Text Amendment Application No.
Boston Redevelopment Authority
Boylston Street Interim Planning
Overlay District

TO THE ZONING COMMISSION OF THE CITY OF BOSTON:

The Boston Redevelopment Authority hereby petitions to amend the text of the Boston Zoning Code, as established under Chapter 665 of the Acts of 1956, as amended, by inserting after Article 27A, for a period of eighteen months from the effective date of this amendment, the following Article:

ARTICLE 27B

BOYLSTON STREET INTERIM PLANNING OVERLAY DISTRICT

SECTION 27B-1: Statement of Purpose.

(a) In order to preserve the health, safety, convenience and welfare of inhabitants of the City of Boston for the purpose of preserving and enhancing certain portions of the city in the vicinity of Boylston Street, and to conserve the value of land and buildings, to encourage the most appropriate use of land throughout the city, to lessen congestion in the streets, to provide adequate light and air, and to prevent overcrowding of land, there is hereby established a zoning district to be known as the Boylston Street Interim Planning Overlay District.

(b) The district is established for the following purposes: (1) to determine appropriate height limits balancing the demands of new development with the existing environment and the requirements for light and air; (2) to ensure that appropriate transitions in height exist within the District; (3) to determine appropriate floor area ratios in order to avoid excessive traffic and parking problems; (4) to encourage the preservation of historic structures and maintenance of architectural diversity in the district; (5) to encourage mixed-use development, where appropriate, which combines residential and commercial uses; (6) to prevent excessive development impacts on public open space; and (7) to reinforce Boylston Street as a pedestrian link between the Fenway and the Boston Common.

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SECTION 27B-2: Physical Boundaries.

The Boylston Street Interim Planning Overlay District includes such portions of the present B-10-155, B-10, B-8, B-8-D, B-4, and B-2 subdistricts in Boston Proper as are within the following boundaries: from the northwesterly corner of St. James Avenue and Arlington Street, northerly along Arlington Street to Public Alley No. 438; westerly along Public Alley No. 438 and on an extension thereof through the property between Clarendon and Berkeley Streets to Public Alley No. 439; westerly along Public Alleys No. 439, 440, 441, 442, 443, and 444 to Massachusetts Avenue; southerly along Massachusetts Avenue to Belvidere Street; southwesterly along Belvidere Street to St. Cecilia Street; northeasterly along St. Cecilia Street to Scotia Street; southwesterly along Scotia Street to Dalton Street; northerly along Dalton Street to a point 150 feet south of the southerly sideline of Boylston Street; easterly along a line parallel to and 150 feet south of said southerly sideline of Boylston Street to Exeter Street; southerly along Exeter Street to Huntington Avenue; easterly along Huntington Avenue to Blagden Street; and easterly along St. James Avenue to Arlington Street.

The district is divided into nine subdistricts as defined by the following boundaries:

a. Upper Boylston Street I

From a point in the center of Exeter Street one hundred and fifty (150) feet south of the southerly sideline of Boylston Street at Exeter Street, northerly along Exeter Street to Boylston Street; westerly along Boylston Street to Fairfield Street; northerly along Fairfield Street to Public Alley No. 442; westerly along Public Alleys No. 442, 443, 444, and an extension thereof to Massachusetts Avenue; southerly along Massachusetts Avenue to Boylston Street; easterly along Boylston Street to Dalton Street; southerly along Dalton Street to a point 150 feet south of the southerly sideline of Boylston street; and easterly on a line parallel to and 150 feet south of said southerly sideline to Exeter Street.

b. Upper Boylston Street II

From the corner of Dalton and Scotia Streets, northerly along Dalton Street to Boylston Street; westerly along Boylston Street to Massachusetts Avenue; southerly along Massachusetts Avenue to Belvidere Street; southeasterly along Belvidere Street to St. Cecilia Street; northeasterly along St. Cecilia Street to Scotia Street; and southeasterly along Scotia Street to Dalton Street.

c. Boylston Street Northside I (Exeter Street to Fairfield Street)

From the northwesterly corner of Boylston and Exeter Streets, northerly along Exeter Street to Public Alley No. 441; westerly along Public Alley No. 441 to Fairfield Street; southerly along Fairfield Street to Boylston Street; and easterly along Boylston Street to Exeter Street.

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d. Copley Square (Clarendon Street to Exeter Street)

From the northwesterly corner of St. James Avenue and Clarendon Street, northerly along Clarendon Street to Public Alley No. 439; westerly along Public Alleys No. 439 and 440 to Exeter Street; southerly along Exeter Street to Blagden Street; and easterly along Blagden Street and St. James Avenue to Clarendon Street.

e. Boylston Street Northside II (Arlington Street to Clarendon Street)

From the northwesterly corner of Boylston and Arlington Street, northerly along Arlington Street to Public Alley No. 438; westerly along Public Alley No. 438 and an extension thereof to Clarendon Street; southerly along Clarendon Street to Boylston Street; and easterly along Boylston Street to Arlington Street.

f. Boylston Street Southside I (Arlington Street to Berkeley Street)

From the northwesterly corner of Providence Street and Arlington Street, northerly along Arlington Street to Boylston Street; westerly along Boylston Street to Berkeley Street; southerly along Berkeley Street to Providence Street; and easterly along Providence Street to Arlington Street.

g. Boylston Street Southside II (Berkeley Street to Clarendon Street)

From the northwesterly corner of St. James Avenue and Berkeley Street, northerly along Berkeley Street to Boylston Street; westerly along Boylston Street to Clarendon Street; southerly along Clarendon Street to St. James Avenue; and easterly along St. James Avenue to Berkeley Street.

h. Park Square Building Block

From the northwesterly corner of St. James Avenue and Arlington Street, northerly along Arlington Street to Providence Street; westerly along Providence Street to Berkeley Street; southerly along Berkeley Street to St. James Avenue; and easterly along St. James Avenue to Arlington Street.

i. Triangle Block

From the northwesterly corner of Huntington Avenue and Blagden Street, northwesterly along Blagden Street to Exeter Street; southerly along Exeter Street to Huntington Avenue; and easterly along Huntington Avenue to Blagden Street.

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SECTION 27B-3: Time Period.

The Boylston Street Interim Planning Overlay District will be in effect for eighteen months from the effective date of this article (unless otherwise extended pursuant to Section 27-2(5) or until the effective date of any changes in the underlying zoning adopted pursuant to the process outlined in Section 27B-8, whichever occurs first. At the end of said period, the zoning regulations in the district shall be those in effect prior to the effective date of this article unless revised by said process.

SECTION 27B-4: Characteristics of the District that Suggest the Existing Underlying Zoning May Not be Appropriate.

a. The existing zoning fails to establish appropriate height limits balancing the demands of new development with the existing environment and the requirements for light and air.

b. The existing zoning fails to establish appropriate floor area ratios which would avoid excessive traffic and parking problems.

c. The existing zoning fails to encourage the preservation of historic structures and the maintenance of architectural diversity in the district.

d. The existing zoning fails to encourage mixed-use development.

e. The existing zoning fails to prevent excessive development impacts on public open space.

SECTION 27B-5: Goals and Objectives of the Boylston Street Interim Planning Overlay District.

The Board of Appeal shall grant an Interim Planning Permit, pursuant to Section 27B-7, only if it finds that the proposed action would be consistent with the goals stated in section 27B-1(b) and the following specific goals and objectives for the subdistrict involved:

a. Upper Boylston Street I

i. To determine height limits which are appropriate for the subdistrict.

ii. To ensure that new development is in scale with existing historic and architecturally significant structures in the subdistrict.

iii. To ensure that development is compatible with the adjoining low-density neighborhood.

iv. To ensure adequate light and air in the subdistrict.

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b. Upper Boylston Street II

i. To ensure development that is compatible with the adjoining low-density neighborhood.

ii. To ensure adequate light and air in the subdistrict.

iii. To determine height limits which are appropriate for the subdistrict.

c. Boylston Street Northside I (Exeter Street to Fairfield Street)

i. To determine height limits which are appropriate for the subdistrict.

ii. To encourage development that is compatible with existing historic and architecturally significant structures in the subdistrict.

iii. To ensure adequate light and air in the subdistrict.

d. Copley Square (Clarendon Street to Exeter Street)

i. To determine height limits which are appropriate for the subdistrict.

ii. To encourage development that is in scale with existing historic and architecturally significant structures in the subdistrict.

iii. To encourage development that is consistent with the pedestrian scale of development on Newbury and Dartmouth Streets and which insures that Dartmouth Street continues to be a major pedestrian connector between the Charles River Esplanade, Commonwealth Avenue Mall, Newbury Street and the Copley Square transit and open space area.

iv. To minimize development impacts on public open space.

v. To ensure adequate light and air in the subdistrict.

e. Boylston Street Northside II (Arlington Street to Clarendon Street)

i. To determine height limits which are appropriate to the subdistrict.

ii. To encourage development that is compatible with existing historic and architecturally significant structures in the subdistrict.

iii. To ensure adequate light and air in the subdistrict.

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f. Boylston Street Southside I (Arlington Street to Berkeley Street)

i. To encourage development that is compatible with existing historic and architecturally significant structures in the subdistrict.

ii. To ensure adequate light and air in the subdistrict.

iii. To determine height limits which are appropriate to the subdistrict.

g. Boylston Street Southside II (Berkeley Street to Clarendon Street)

i. To ensure development in accordance with Development Plan for Planned Development Area No. 17.

ii. To ensure adequate light and air in the subdistrict.

h. Park Square Building Block

i. To encourage development that is compatible with existing historic and architecturally significant structures in the nearby Boylston Street and Park Square areas.

ii. To ensure the adequate light and air in the subdistrict.

iii. To determine height limits which are appropriate for the subdistrict.

i. Triangle Block

i. To encourage development that is compatible with existing historic and architecturally significant structures in the subdistrict and in the nearby Copley Square area.

ii. To minimize development impacts on public open space.

iii. To ensure adequate light and air in the subdistrict.

SECTION 27B-6: Interim Controls.

During the period of the interim planning overlay district, height limitations and floor area ratio requirements shall be as stated in Table I. All other requirements of the Zoning Code shall apply.

SECTION 27B-7: Interim Planning Procedure.

Since it is essential to protect the study area from development that would frustrate the goals of the comprehensive planning process and contemplated zoning changes while the comprehensive planning study is being conducted and contemplated zoning changes are being prepared, the Interim Planning Permit procedure described in Section 27-3 is hereby adopted for the Boylston Street Interim Planning Overlay District. While the overlay district is in effect, all applicants for a building permit in said district shall apply for an

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Interim Planning Permit. Any applicant who holds a valid building permit or an approved Development Plan for a Planned Development Area shall be exempt from the requirements of the Interim Planning Overlay District. This procedure is in addition to the requirements and procedures mandated by the underlying zoning.

SECTION 27B-8: Estimated Timetable for Conducting and Completing Comprehensive Planning Study and Rezoning.

a. Completion of a comprehensive planning study report, including recommendations for new zoning map designations, maximum floor area ratios and height limits: to be completed twelve months from the enactment of the overlay district.

b. Submission to Boston Redevelopment Authority Board of proposed zoning map change if any, for petition to Zoning Commission: to be completed fourteen months from the enactment of the overlay district.

c. Zoning Commission hearing on petition to adopt proposed zoning changes, if any: to be completed sixteen months from the enactment of the overlay district.

SECTION 27B-9: Severability.

The provisions of this article are severable, and if any such provision or provisions shall be held invalid by any decision of any court of competent jurisdiction, such decision shall not impair or otherwise affect any other provision of this article.

Petitioner: Boston Redevelopment Authority

By: _____
Stephen Coyle, Director

Address: City Hall, Boston, MA 02201

Telephone Number: 722-4300, Extension 201

Date: _____

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TABLE 1
Boylston Street
Interim Planning Overlay District
Interim Controls

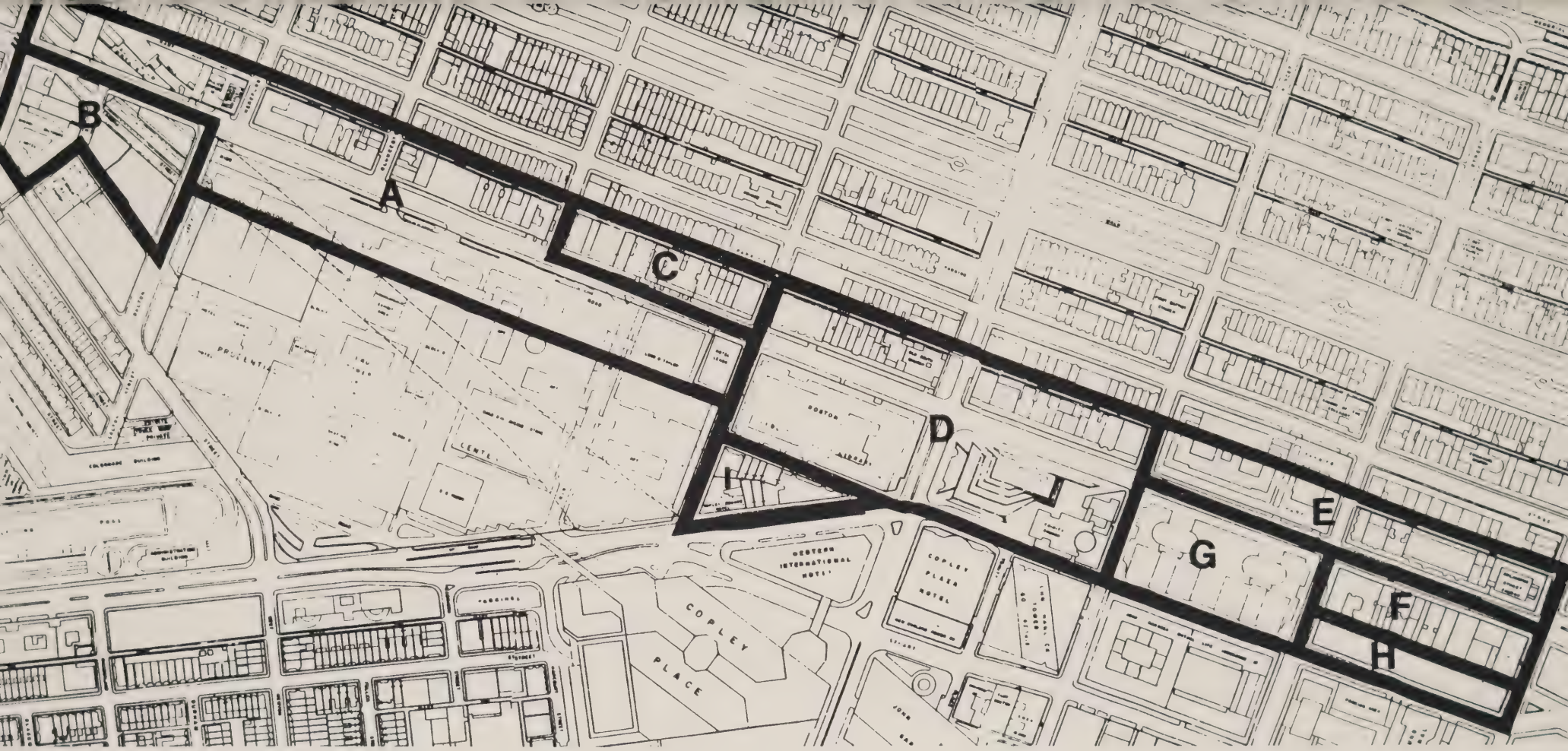
Subdistrict and Existing Zoning	Maximum Floor Area Ratio	Height Limit
a. Upper Boylston Street I		
B-10-155	8	120 feet
B-4	8	120 feet
B-8	8	120 feet
b. Upper Boylston Street II		
B-2	2	*
c. Boylston Street Northside I		
B-10-155	8	90 feet
d. Copley Square		
B-10-155	6	65 feet
B-8	6	65 feet
e. Boylston Street Northside II		
B-10-155	8	120 feet
f. Boylston Street Southside I		
B-8	8	90 feet
B-10	8	90 feet
g. Boylston Street Southside II		
B-8-D	**	**
h. Park Square Building Block		
B-10	10	+
i. Triangle Block		
B-8	8	++

* No height limits shall apply in that the existing floor area ratio of two (2) in the subdistrict provides adequate protection to maintain a low density which is compatible with adjacent residential neighborhoods.

** In accordance with requirements of Planned Development Area No. 17 (500 Boylston Street in the Back Bay).

\+ No height limits shall apply in that the existing floor area ratio of ten (10) in the subdistrict provides adequate protection to maintain a density which is compatible with adjacent development.

++ No height limits shall apply in that the existing floor area ratio of eight (8) in the subdistrict provides adequate protection to maintain a density which is compatible with adjacent development.



BOYLSTON STREET INTERIM PLANNING OVERLAY DISTRICT

A UPPER BOYLSTON STREET I
B UPPER BOYLSTON STREET II
C BOYLSTON STREET NORTHSIDE I
D COPLEY SQUARE
E BOYLSTON STREET NORTHSIDE II
F BOYLSTON STREET SOUTHSIDE I
G BOYLSTON STREET SOUTHSIDE II
H PARK SQUARE BUILDING BLOCK
I TRIANGLE BLOCK

UNTIL